

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

FILED BY  D.C.

05 DEC 12 AM 7:33

THOMAS H. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

Mary E. McNally

Plaintiff,

v.


Methodist Healthcare and Methodist
Healthcare Memphis Hospitals, and
Randall "Randy" Secrease

Defendants.

Case No. 03-2801-DV


ORDER CONSOLIDATING CASES FOR TRIAL

Pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, the Court finds that common issues of law and fact are pending in Western District of Tennessee Case No. 03-2800 (Julie L. Thomas v. Methodist Healthcare and Methodist Healthcare Memphis Hospitals and Randall "Randy" Secrease) and Western District of Tennessee Case No. 03-2801 (Mary E. McNally v. Methodist Healthcare and Methodist Healthcare Memphis Hospitals and Randall "Randy" Secrease). The Court further finds that many of the same witnesses will be called to testify in each case. The Court also finds that many of the same exhibits will be introduced in each case. The Court also finds that the parties are represented by the same attorneys. Considerations of cost, expense, delay, judicial resources, and judicial economy outweigh any potential prejudice to the parties. Accordingly, the Court finds that the cases should be consolidated in a single trial on all issues. The Court notes that Defendants Methodist Healthcare and Methodist Healthcare Memphis Hospitals object to the Court's order of consolidation on the basis that the two cases do not present common factual and legal issues and

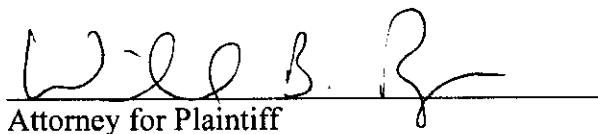


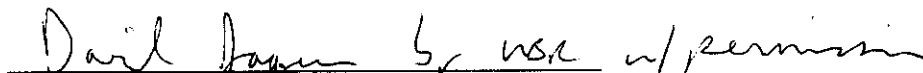
that the constitutional guaranty of a fair trial devoid of confusion and prejudice to the jury outweighs the necessity of avoiding the expense and delay of trying the cases individually.

IT IS SO ORDERED this the 9th day of December, 2005


UNITED STATES DISTRICT JUDGE

APPROVED:


Attorney for Plaintiff


Attorney for Defendants Methodist Healthcare
And Methodist Healthcare Memphis Hospitals

MEMPHIS 184590v1



Notice of Distribution

This notice confirms a copy of the document docketed as number 33 in case 2:03-CV-02801 was distributed by fax, mail, or direct printing on December 13, 2005 to the parties listed.

David P. Jaqua
BUTLER SNOW O'MARA STEVENS & CANADA, PLLC
6075 Poplar Ave.
Ste. 500
Memphis, TN 38119

Donald A. Donati
DONATI LAW FIRM, LLP
1545 Union Ave.
Memphis, TN 38104

William B. Ryan
DONATI LAW FIRM, LLP
1545 Union Ave.
Memphis, TN 38104

W. Polk Tillman
LAW OFFICE OF W. POLK TILLMAN
5090 Mill Branch Rd.
Ste. 2
Memphis, TN 38130--036

Honorable Bernice Donald
US DISTRICT COURT